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FIRST FRANKLIN LOAN SERVICES

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 **MONTASER M. RASHID**
12 **Sramineus Homo, U S Vessel**

13 **Plaintiff,**

14 **vs.**

15 **FIRST FRANKLIN LOAN**
16 **SERVICES, US Vessel DOES, ROES**
and MOES 1-100 et al. US Vessel sand

17 **Defendant.**

18
19 **MONTASER-MOSS; RASHID LIEN**
20 **HOLDER OF THE VESSEL, The Real**
Party In Interest, Lawful Man

21 **Injured Third Party Intervener/**
22 **Petitioner/Libelant,**

23 **vs.**

24 **FIRST FRANKLIN LOAN**
25 **SERVICES, U.S. Vessel, DOES,**
ROIES, and MOES 1-100 et al., US
26 **VESSELS INDIVIDUALLY AND**
SEVERALLY

27 **Third Party**
Defendants/Libellees

Case No. C 07-80234 CRB

[PROPOSED] ORDER AFTER
DEFENDANT FIRST FRANKLIN
FINANCIAL CORPORATION'S
MOTION TO DISMISS
PLAINTIFFS' COMPLAINT

[Fed.R.Civ.P. 12(b)(6)]

Date: December 7, 2007
Time: 10:00 a.m.
Courtroom: 8

Honorable Charles R. Breyer

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Defendant FIRST FRANKLIN FINANCIAL CORPORATION'S Motion to Strike the Complaint of Plaintiff MONTASER M. RASHID came on regularly for hearing before this Court on December 7, 2007 at 10:00 a.m.. Defendant FIRST FRANKLIN FINANCIAL CORPORATION appeared through its attorneys of record, Kelly Andrew Beall of Wolfe & Wyman LLP. Plaintiffs appeared in pro per.

After consideration of all moving, opposing, and reply papers, as well as oral arguments before the Court, and good cause otherwise appearing therefore,

IT IS HEREBY ORDERED THAT:

1. Defendant FIRST FRANKLIN FINANCIAL CORPORATION'S Motion to Strike is sustained without leave to amend.

IT IS SO ORDERED

DATED:

JUDGE OF THE DISTRICT COURT